

Docket No. 215075US3DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

SERIAL NO: 09/988,212

FILED: 11/19/01

FOR: SHEET FEEDING DEVICE FOR AN IMAGE FORMING APPARATUS

GAU:

EXAMINER:

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INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☐ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☒ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.



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Void Date: 08/30/2002 ENORMAN 00000001 150030 09988212
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DETAILED ACTION

First Action Rejection

1. The First Action on the merits rejecting claims 15-20 and 22 is withdrawn because claim 21 was not properly treated. Instead the election restriction cited in the parent case is being applied as follows.

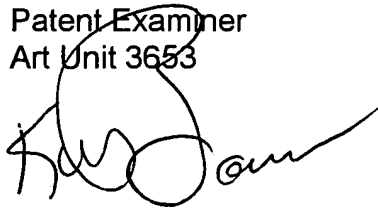
Election/Restriction

2. Applicant is reminded of restriction requirement that was issued during the prosecution of the parent Application/Control Number: 09/492,272 leading to Applicant electing claims 1-14 drawn to a sheet size sensing means, classified in class 271, subclass 265.01 at that time. The following restriction requirement remains:
3. Restriction to one of the following inventions is required under- 35 U.S.C, 1, 21:
- II. Claims 15-20, drawn to a plurality of separating members, classified in class 271, subclass 121;
 - III. Claims 21-22, drawn-to-a counting means, classified in class 271, subclass 1-10.
4. The inventions are distinct, each from the other because of the following reasons:
Inventions II & III are related as sub-combinations disclosed as usable together in a single combination, The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention III has separate utility such as in a device used to count a number of sheets. See MPEP § 806.05(d).
5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper,
6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

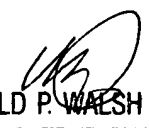
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth W. Bower whose email address is ken.bower@uspto.gov, telephone number is (703) 306-4546, facsimile number for unofficial communication is (703) 308-0552 with (703) 308-2571 as back up. The examiner is normally available from 7:00 AM to 3:00 PM Eastern Time on Monday through Thursday and on every second Friday. The official facsimile number for this group is (703) 305-3579. Status or general information queries should be directed to the Group Receptionist at (703) 308-1113. If necessary, the Group Receptionist can assist with contacting the examiner's supervisor.

Kenneth W. Bower
Patent Examiner
Art Unit 3653



Kwb
31 May 2002



DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600



LIST OF RELATED CASES

<u>Docket Number</u>	<u>Serial or Patent No.</u>	<u>Filing or Issue Date</u>	<u>Status or Patentee</u>
6195-0020-2	5,927,703	07/27/99	ENDO
6195-0035-3	08/925,648	09/09/97	ALLOWED
6195-0048-3	6,065,397	05/23/00	SATO
6195-0053-2	6,213,015	04/10/01	SATO, et al.
215075US3 DIV*	09/988,212	11/19/01	PENDING

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*Present application; listed for information

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